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**PATENT APPLICATION**  
SERIAL NO.: 09/039,957  
ATTORNEY DOCKET NO.: 2509-970451

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1623 :

In re application of : **METHOD FOR CULTURING  
AND ASSAYING CELLS**

**Paul L. KORNBLITH** :

Serial No.: 09/039,957 :

Filed: March 16, 1998 :

Examiner: Ralph J. Gitomer :

**RECEIVED**

MAY 20 2002

Pittsburgh, Pennsylvania TECH CENTER 1600/2900  
May 6, 2002

**AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action dated January 4, 2002, Applicant submits the following amendments and remarks along with the accompanying Petition for Extension of Time.

**IN THE CLAIMS:**

Please cancel claims 37-39.

Please insert new claims 40-47 as follows:

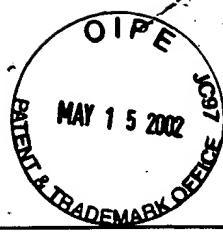
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on May 6, 2002.

Mary Pat Rossi

(Typed name of person mailing paper and/or fee)

Mary Pat Rossi 5-6-02  
Signature of person mailing paper and/or fee Date

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ATTORNEY DOCKET NO.: 2509-970451

**AMENDMENT TRANSMITTAL LETTER**

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Commissioner for Patents  
Washington, D.C. 20231

MAY 20 2002

Serial No.: 09/039,957

Filing Date: March 16, 1998

Examiner: Ralph J. Gitomer

TECH CENTER 1600/2900

Group Art Unit: 1623

Invention: "Method for Culturing and Assaying Cells"

Transmitted herewith is an Amendment in the above-identified application.

Small Entity Status is asserted for this application under 37 CFR 1.27.  
 A verified statement to establish small entity status under 37 CFR 1.27 is enclosed.  
 No additional fee is required.  
 The fee has been calculated as shown below:

No of Claims	Highest No.	Small Entity	Non-Small Entity	
After	Previously Paid For	Present Extra	Rate	Rate
Total	<u>7</u>	<u>23</u>	<u>0</u>	x \$ 9.00
Indep.	<u>1</u>	<u>3</u>	<u>0</u>	x \$ 42.00
First Presentation of Multiple Dependent Claim/s				+ \$140.00
				+ \$280.00
				<b>TOTAL ADDITIONAL FEE</b>
				<b>\$ 0</b>

A check in the amount of \$ 180.00 is enclosed to cover the Supplemental IDS fee.  
 A check in the amount of \$ 55.00 is enclosed for a one- month Petition for Extension of Time.  
 The Commissioner is hereby authorized to charge payment of the following fees associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this Transmittal are enclosed.  
 Any additional filing fees required under 37 CFR 1.16.  
 Any patent application processing fees under 37 CFR 1.17.

May 6, 2002

Date

By

Barbara E. Johnson

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Mary Pat Rossi

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5/6/2002

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